

# FOOD STAMP PROGRAM REQUEST FOR REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative Law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input type="checkbox"/> Other:	5. DATE OF REQUEST: 05-03-11 NEED RESPONSE BY: ASAP
2. REQUESTOR NAME: MARTHA JUE	6. COUNTY/ORGANIZATION: FRESNO
3. PHONE NO.: 1-559-600-2762	7. SUBJECT: RESIDENTS OF HOMELESS SHELTERS
4. REGULATION CITE(S):	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). 63-402.4 63-102 (m)(5) 63-104.21 j
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): Residents of Public or Private nonprofit of Shelters for Homeless Persons  Background  Individuals will be considered residents of an institution when the institution provides them with the majority of their meals as part of the institution's normal services. Residents of institutions are not eligible for participation in the Food Stamp Program (FSP). As commercial boarding houses fall under this category, residents of commercial boarding houses are not eligible for participation in the FSP. However, residents of Shelters for homeless Persons will not be considered as residents of institutions and may voluntarily apply for the FSP. Shelters that do not serve meals as part of their normal services are not classified as institutions. Residents of this type of shelter may participate in the Food Stamp Program as individual household units or as part of a group of individuals like any other household.	
10. REQUESTOR'S PROPOSED ANSWER:	

11. FRAT RESPONSE TO COUNTY QUESTION:

12. STATE POLICY RESPONSE (FSPIU USE ONLY):

## Questions:

1. 63-104.21 j. (Document 3), approval of meal providers, how is this regulation relevant to counties since certification is done by FNS. CWD approval as a Homeless Meal Provider is a prerequisite for receiving authorization from FNS to accept CalFresh benefits from homeless persons for the purchase of prepared meals. See 7 CFR 272.9.

2. Can a homeless shelter provide meals and not be certified by FNS and the resident still qualify to the FSP? Yes, non-certified homeless shelter residents may apply for CalFresh on the same basis as any other household. See 7 CFR 273.2(a)(1).

3. Does certification/license by a local agency only apply to public institutions? Neither 7 CFR 272.9, nor MPP 63-104.21 differentiates between public or private nonprofit homeless meal providers. Regulations at 7 CFR 271.2(h)(1) and MPP 63-102(m) define meal

## FOR FRAT USE

DATE RECEIVED:

DATE RESPONDED TO COUNTY:

DATE FORWARDED TO STATE:

